GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Water Resources Department – Industrial Water Supply- M/s. Oil and Natural Gas Corporation Limited (ONGC) - Laying of water pipeline of 4”dia HDPE along the side of Benda-1 canal for a length of 400m from pump house and for crossing Benda-1 canal – Permission Accorded- Orders - Issued.

WATER RESOURCES (REFORMS) DEPARTMENT

G.O.Ms.No. 75 Dated:15.11.2017.
Read the following:

1. G.O.Ms. No.24, I& CAD (PW & Reforms) Deptt., dt: 24.05.2011
2. From the Engineer-in-Chief (Irrigation), Water Resources Department, Vijayawada, Lr.No.ENC(I) /EE/DEE1/AEE2/IWS-ONGC, dt:24.10.2017.

ORDER

In the G.O. 1st read above, permission was accorded to M/s Oil and Natural Gas Corporation Limited (ONGC) to draw 300 cubic meter of water per day (0.123 Cusecs) from Koushika main canal channel tail end at KM 6.910 at Odalarevu village, Allavaram mandal, Amalapuram sub division, East Godavari District during the period from June to December every year for the period of 10 years and for laying of water pipeline in the irrigation Department land for crossing of canals, at Koushika main channel near Komaragiripatnam village of Allavaram mandal.

2. In his letter 2nd read above the Engineer-in-Chief (Irrigation) has informed that as per the permission accorded by the Government the Superintending Engineer, Irrigation Circle, Dowlaiswaram concluded agreement with M/s Oil and Natural Gas Corporation Limited. Subsequently, M/s ONGC in their letter dated 8.11.2016, submitted proposals for construction of pump house in their own land along the side of Koushika canal and the Superintending Engineer, lrrigation Circle, Dowlaiswaram accorded permission. Again, ONGC submitted proposals for laying of pipeline of 4" dia HDPE along the side of Benda-1 canal for a length of 400 m from pump house and across Benda-1 canal.

3. He has further informed that the Superintending Engineer, Irrigation Circle, Dowlaiswaram conducted a joint inspection with the

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authorities of the M/s ONGC Limited at proposed site for laying of pipeline and the Superintending Engineer, Irrigation Circle, Dowlaiswaram has submitted the inspection notes stating that as per the site conditions, there is no objection for supply of water to the Agency (ONGC) 300 m3/day from Kowsika main channel tail end at KM 6.910 between June to December, which is valid for ten years from date of first drawl. The Side slope protection work along the toe of the Benda No.1 canal by the M/s ONGC authorities is proposed at their own cost. It is also proposed that, the 4" dia water pipe line should be crossed minimum 1 m below the C.B.L of Benda-1 Canal and the pipe line should be laid minimum 1.2 m away from the toe of the canal bund of Benda-1 canal.

4. The ENC (I) has further stated that the lease rate for the land is calculated as per the orders issued in G.O.Ms.No.181, dt.24.5.1984 and arrived to Rs.23,359/- per year.

5. The Engineer-in-Chief (Irrigation), Water Resources Department has therefore requested the Government for issue of necessary orders duly permitting M/s Oil and Natural Gas Corporation Limited (ONGC) for laying of pipeline of 4"dia HDPE along the side of Benda-1 canal for a length of 400 m from pump house and for crossing Benda-1 canal duly imposing the following terms and conditions to the firm:

A. For laying of 4" dia water pipeline:-

1.The grant is liable for cancellation if it be found that it was grossly inequitable or was made under a mistake of factor owing to misrepresentation or fraud or in excess of the limits of authority delegated to the officer sanctioning the grant that there was an irregularity in the procedure. Cancellation on any of these grounds may be ordered by any authority to which the sanctioning authority is administratively subordinate.

2. In the event of such cancellation of the grant, O.N.G.C. shall not be entitled to compensation for any loss caused to him by the cancellation.

3. O.N.G.C. shall not transfer to any other person the rights hereby conveyed to him without the previous sanction of the authority which was made the grant.

4. O.N.G.C. shall pay a sum of Rs.23,359/-(Rupees twenty Three thousand three hundred and fifty nine only) equivalent to 1 year charge as and for security for the due fulfilment and observance by him of the conditions contained in the lease.

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The sum deposited shall be liable for forfeiture to the Government under the orders of the assigning authority in the event of failure by O.N.G.C. to fulfill and observe any of the conditions of the lease. The security deposit shall be paid by way of D.D. payable at Rajahmundry in F/o A.P.A.O., Works and Projects, Dowlaiswaram and should be handed over to the Executive Engineer, G.C. Division, Amalapuram.

5. O.N.G.C. shall so long as the grant be in force pay in advance to the Government yearly sum of Rs.23,359/- clear of all deductions the first of such payments to be made on the 1st day of the year and subsequent yearly payment on the corresponding day of the succeeding years. This rate is subject to revision by the Government from time to time, as and when the capital cost of site changes as per records of Registration / Revenue Department. The yearly lease amount shall be paid by way D.D. payable at Rajahmundry in F/o A.P.A.0., Works and Projects, Dowlaiswaram and should be handed over to the Executive Engineer, G.C. Division, Amalapuram.

6. O.N.G.C. shall not use the land or suffer it to be used for the agricultural purpose.

7. O.N.G.C. may lay pipe line in the area permitted and in accordance with the plan(s) Annexed, under the supervision of Executive Engineer, G.C. Division, Amalapuram.

8. There shall not be any obstruction for free flow of water during the execution of work or after the completion of the work.

9. O.N.G.C. shall not except as provided in condition (7) erect any building, fences or structures of a permanent or temporary character on the land without the previous written sanction of the assigning authority. O.N.G.C. shall permit the assigning authority or other officers or others authorized by him on his behalf with or without workmen at all reasonable times to enter upon the land and all sheds, buildings or other structures built or erected with reference to condition (7) above to view the state and condition thereof and upon notices, being given by the said assigned authority or other officer authorized on his behalf to repair in accordance therewith.

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10. O.N.G.C. shall maintain the said land in a clean and sanitary condition to the satisfaction of the assigning authority and shall also maintain the structure if any, erected thereon as aforesaid, in good condition to the satisfaction of the assigning authority.

11. O.N.G.C. may uproot, cut down or destroy such tree, plants of girth less than 0.30Mts or bushes, as in the opinion of the Assigning authority, it is necessary to make the land fit for non-agricultural purpose and may take them free of charge and dispose off in any manner he likes. If there are trees of girth more than 0.30Mts, the trees cut should be handed over to the assigning authority or any officer authorized by him in this behalf for disposal.

12. The entire cost of laying pipe line, cost of C.M. & C.D. works shall be borne by O.N.G.C.

13. The pipeline shall be intact and there should not be any leakage and O.N.G.C. is responsible for any loss or damage to the public and Department due to leakages.

14. O.N.G.C. shall obtain prior approval of the drawing for laying of pipeline along canal from the Superintending Engineer, irrigation Circle, Dowlaiswaram before commencement of the work.

15. O.N.G.C. shall remove immediately any unauthorized building, fences or structure on receiving notice from the assigning authority and in default for immediate compliance with any such notice, the assigning authority shall have power to remove the same and the O.N.G.C. shall upon demand made by or on behalf of the assigning authority, pay the cost of removal and the cost of storing the materials removed and take delivery of the same.

16. O.N.G.C. shall not without the previous written sanction of the assigning authority, permit any person to use the land or any structure, thereon or any portion of the land or structure.

17. O.N.G.C. shall, on the termination or revocation of this grant, restore the said land to the assigning authority in as good a condition as is consistent with foregoing conditions.

18. O.N.G.C. shall be answerable to the Government of Andhra Pradesh for all or any injury or damage done to the said land

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and other Government property thereon except as is permitted by the foregoing conditions.

19. The assigning authority may revoke the grant wholly or in part, if the charges specified in condition (5) above or any part thereof shall remain unpaid for fifteen days after it had become payable whether formally demanded or not, or if O.N.G.C. shall have broken any of the conditions of the grant herein contained and the grantee shall not be entitled to any compensation thereof.

20. If the amount specified in condition (5) above or part thereof is in arrear, it shall also be competent for the assigning authority to recover the same from O.N.G.C. as an arrear to land revenue.

21. The grant hereby given may be revoked by the assigning authority after giving fifteen days notice in writing and by the Government or the Chief Engineer without notice for emergent reasons (the said Government or the Chief Engineer being the sole judge of the emergency) and shall be terminable by O.N.G.C. by giving to the assigning authority fifteen days notice in writing without prejudice to any rights of action or remedy of the assigning authority in respect of any antecedent breach of any of the foregoing conditions. O.N.G.C. shall not, in case of such revocation or termination, be entitled to any compensation in respect of any buildings, fences, structures and pipeline on the land.

22. The grant includes all rights, easements and appurtenances belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and customary rights of the Government and the public in roads and paths and rivers, stream and channels running through or bounding the land and the right to Government to the Mines and Quarries, adjacent to the said land area are however, reserved and are in no way affected by the grant.

23. The Department is no way responsible for any legal complications arising out of by public or any other on the above work and operations of the firm.

B. For water pipeline, crossing Benda-1 canal:-

1. The pipeline should be laid at a depth of minimum 2m below the canal bed level and by HDD method only. Open cut method shall not be permitted.

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2. There shall not be any obstruction for the free flow of water during the execution of work or after the completion of work.

3. The applicants are responsible for any damages and accidents occurred during the period of permission.

4. The Vegetation and other floating materials accumulated on U/S and D/S of crossing should be cleared by the applicants.

5. The Water Resources Department is no way concerned with the untoward incidents occurred during the above permission period.

6. The execution is to be done after inspection of the site by the Executive Engineer, G.C. Division, Amalapuram.

7. After excavating proper compaction is to be done and the bank is to be restored to actual profile.

8. While execution of work, utmost care shall be taken. If any damage occurs to the channels/ canals/ banks/ structures, the cost of the same shall be borne by the firm and the same has to be formed or reconstructed to the required standards.

9. The excavated soil should be cleared away from the site of work as per the directions of the Water Resources Department at the cost of firm.

10. At the places, wherever the berms of the canal are insufficient, the firm has to take necessary precautions to form the slopes and berms with necessary protective measures without effecting theoretical section of the canal.

11. Construction should be carried out during the canal closure period only.

12. If any damages caused to the standing crop, the cost should be paid by the firm. The Water Resources Department has no responsibility for any crop damage.

13. The firm should bring the banks to original standards at their own cost if the banks are disturbed during execution.

14. The work should be carried out in consultation with the irrigation officials from time to time strictly as per the Water Resources Department conditions.

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15. The Water Resources Department reserves the right to cancel or alter the permission at any time without assigning any reasons.

16. Any other conditions stipulated by the Water Resources Department will have to be implemented.

6. In view of the circumstances stated above, Government after careful examination of the proposal, here by accord permission to M/s Oil and Natural Gas Corporation Limited (ONGC) for laying of water pipeline of 4”dia HDPE along the side of Benda-1 canal for a length of 400 m from pump house and for crossing Benda-1 canal with the terms and conditions stipulated at para (5) above.

7. The Engineer-in-Chief(Irrigation), Water Resources Department shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief(Irrigation), Water Resources Department, Vijayawada.
M/s Oil and Natural Gas Corporation Limited (ONGC).
The Superintending Engineer, Irrigation Circle, Dowlaiswaram.
The District Collector, East Godavari.
Private Secretary to the Hon’ble Minister (WRD).
Private Secretary to the Secretary to Government (WRD).

// FORWARDED :: BY ORDER //

SECTION OFFFICER.